IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT APPEAL NO : 977 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 12/08/2004 in WPNO:25554 OF 2003 on the file of the High Court.)

Between:

1. Chairman & Managing Director

   The Central Power Distribution Company of A.P.Limited

   Singareni Bhawan

   Kairatabad, hyderabad

2. The Superintending Engineer

   Operation Circle

   The Central Power Distribution Company of A.P.Limited

   Sangareddy, Medak District

…. **APPELLANTS**

AND

1. R.Prakash Kumar, S/o.Sri Narasimhulu

   H.No.4-7-65, Electricity Colony

Sangareddy, Medak District

2. M.Sudhakar, S/o.Pentaiah

H.No.4-7-85, Electricity Colony

Sangareddy, Medak District

3. B.Uma Maheswar, S/o.Sri Dakaiah

H.No.4-7-65, Electricity Colony

Sangareddy, Medak District

4. E.Shankaraiah, S/o.Papaiah

H.No.4-7-85, Electricity Colony

Sangareddy, Medak District

5. P.Srinivas, S/o.Narasimhulu

H.No.4-7-85, Electricity Colony

Sangareddy, Medak District

6. P.Rajeswari, D/o.Sri P.Nandaiah

H.No.4-7-65, Electricity Colony

Sangareddy, Medak District

7. J.Santosh Kumar, S/o.Gundi Rao

H.No.4-7-65, Electricity Colony

Sangareddy, Medak District

8. D.Samuel Raj, S/o.Dharsi

H.No.4-7-85, Electricity Colony

Sangareddy, Medak District

9. A.Durga Prasad, S/o.Suryamani

H.No.4-7-65, Electricity Colony

Sangareddy, Medak District

10. P.Satyanarayana, S/o.Thalupulu

H.No.4-7-85, Electricity Colony

Sangareddy, Medak District

… **RESPONDENTS**

COUNSEL FOR THE APPELLANTS: Mr.S.KISHORE, SC FOR A.P.TRANCO

COUNSEL FOR THE RESPONDENTS:Mr.D.VIJAYA KUMAR

JUDGMENT: **(Per the Honourable Smt. Justice T.Meena Kumari)**

This writ appeal is filed by the appellants-Official respondents aggrieved by the order, dated 12.08.2004 in W.P. No:25554 of 2003, under which, the learned single Judge allowed the said writ petition to the extent indicated therein.

The respondents herein are the writ petitioners. They filed the writ petition to declare the action of the appellants in not considering their cases for absorption in the posts of LDC, Typist and Sub-Engineer as illegal and arbitrary and consequently to direct the appellants to forthwith absorb them in the posts of L.D.C. or Typist or Sub-Engineer or in any other suitable post, to which they are eligible.

The learned single Judge having set aside the impugned proceedings dated 21-11-2003, allowed the writ petition directing the appellants to verify the service certificates issued by the contractor and countersigned by the officials of the Company with reference to the agreement, under which, the contract labourers are engaged as on 18-5-1997 and consider the case of the writ petitioners for appointment as L.D.C. or in any other suitable post in accordance with B.P.Ms.No.36, dated 18-5-1997 and pass appropriate orders in accordance with

law. Having aggrieved by the same, the present writ appeal is preferred by the appellants.

Heard the learned counsel.

We have perused the order impugned and the entire material available on record.

The case of the writ petitioners is that they worked as contract labourers in the respondent-Company and the contractor issued service certificates to them. It is their further case that as per B.P.Ms.No.36, dated 18-5-1997, they are entitled for absorption in the post of L.D.C. or any other suitable post, but their cases were not considered on the ground that the genuineness of the service certificates could not be established due to lack of corroborating evidence.

Similar question was considered by a learned single Judge in W.P.No.17163 of 2002, in which the learned single Judge has taken a view that the opinion of the Vigilance Cell of the respondent company is without any foundation. The direction issued by the learned single Judge to consider the case of the writ petitioner, is only subject to the verification of the service certificate.

In this view of the matter, the direction issued by the learned single Judge to the appellants to verify the service certificates issued by the contractor and countersigned by the officials of the company with reference to the agreement under which the contract labourers are engaged as on 18-5-1997 and consider the cases of the writ petitioners for appointment as L.D.C., or in any other suitable post in accordance with B.P.Ms.No.36, dated 18-5-1997 and pass appropriate orders in accordance with law, is justified and the same does not warrant any interference by this Court. Accordingly, this writ appeal is liable to be dismissed.

In the result, the Writ Appeal is dismissed confirming the order of the learned single Judge. No costs.

(T.MEENA KUMARI, J)

(L.NARASIMHA REDDY, J)

Dt: 13.04.2005

bsv/lvl

To

1. The Chairman & Managing Director

   Central Power Distribution Company of A.P.Limited

   Singareni Bhawan

   Kairatabad, Hyderabad

2. The Superintending Engineer

   Operation Circle

   Central Power Distribution company of A.P.Limited

   Sangareddy, Medak District

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